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OFFICE OF PETITIONS

Applicant: Hsia et al.
Appl. No.: 10/035,414
Filing Date: March 15, 2002
Title: METHOD AND APPARATUS FOR MULTIPLE BYTE OR PAGE MODE
PROGRAMMING AND READING OF A FLASH MEMORY ARRAY
Attorney Docket No.: 11030.02
Pub. No.: US 2002/0167843 A1
Pub. Date: November 8, 2002

This is in response to the request for correction of patent application publication under 37 CFR 1.221(b), which was filed on January 14, 2003.

The request is DISMISSED.

The instant request is that the application be republished because the patent application publication contain a mistake, which is a material mistake. Applicant states that section heading "Claims" is missing from the claims section of the published application.

37 CFR 1.221(b) is applicable "only when the Office makes a material mistake which is apparent from Office records." The instant request does not identify a material mistake in the publication made by the Office:

The instant request identifies the mistake as the missing phrase "Claims" at the start of the claims section, which is not material mistake because the technical disclosure and the claims are understandable.

A material mistake must affect the public's ability to appreciate the technical disclosure of the patent application publication, to determine the scope of the patent application publication, or to determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent¹

The error identified by applicant is not a material mistake by the Office because the error does not affect the public's ability to appreciate the technical disclosure of the patent application publication, or determine the scope of the patent application publication or determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent.

The applicant is advised that a "request for republication of an application previously published"

¹Changes to Implement Eighteen-Month Publication of Patent Applications, 65 FR 57023, 57038 (Sept. 20, 2000), 1239 Off. Gaz. Pat. Office Notices 63, 75 (Oct. 10, 2000) (final rule).

may be filed under 37 CFR 1.221(a). Such a request for republication "must include a copy of the application in compliance with the Office's electronic filing system requirements and be accompanied by the publication fee set forth in § 1.18(d) and the processing fee set forth in § 1.17(i)." If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in § 1.18(d) will be refunded. The processing fee will be retained.

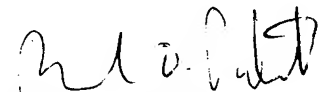
Any request for republication under 37 CFR 1.221(b), should be submitted via the EFS system and questions or request for reconsideration of this decision, should be addressed as follows:

By mail to: Box PGPUB
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By facsimile: 703-305-8568

The application is being forwarded to Technology Center 2800 to await further examination in due course.

Inquiries relating to this matter may be directed to Mark Polutta at (703) 308-8122 (voice) or (703) 746-3465 (facsimile).



Mark O. Polutta
Office of Patent Legal Administration
Office of the Deputy Commissioner
for Patent Examination Policy